

FLORIDA HOUSE *of* REPRESENTATIVES

2007-2008  
INTERIM PROJECTS



*Speaker* MARCO RUBIO







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# **Economic Expansion and Infrastructure Council**

## **Interim Projects**

**Representative Dean Cannon, Chair**  
**Representative Dick Kravitz, Vice Chair**



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Economic Expansion and Infrastructure Council/Committee on Tourism & Trade

**Project Title:** Local Option Tourist Development Taxes Report

**Staff Responsible:** Barbara Hoagland, Dorian Vogt

**Problem Statement:** The House maintains a Committee Report on Local Option Tourist Development Taxes (Bed Taxes), which is updated every two to three years. This is a comprehensive report on the history, current statutory status, and 10-year-to-date compilation of the use of these taxes. There have been changes in the tax levies by counties that require the updating of the report and the county records. This is a valuable tool for the Legislature and is sought by local governments and other interested persons as a resource document.

**Purpose of the Project:** The report will serve as a resource document for the Legislature, local governments and others. Staff will collect data from the Department of Revenue and surveys will be sent to every affected county to request updated tax information. Staff will research statutory changes at the state level as well as changes at the local level made since the 2005 report and will update the history.

**Expected Format for Outcome:** A formal report on the local option tourist-related taxes will be provided.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 200	Dec. 2007
Background research	X	X					
Research other states	X	X					
Meet with affected parties	X	X					
Send written survey to affected parties		X	X				
Analyze survey results				X	X		
Write draft report					X		
Finalize report						X	
Submit report to Speaker's Office							X
Midterm progress report to Speaker's Office				9/07			
Maximum due date for completion							12/28

**Florida House of Representatives**  
**2007-2008 Interim Project Proposal**

**Council/Committee:** Economic Expansion and Infrastructure Council/Committee on Infrastructure

**Project Title:** An Examination of Florida's Policies for Allocating Transportation Revenues

**Staff Responsible:** Phillip Miller, Teddi Creamer

**Problem Statement:** Transportation projects are often costly, big ticket items. Whether it is a bridge, road, port improvement, or another transportation project, the cost can be truly staggering. With so much money on the line, who decides how to spend it? The answer is complex. No one agency or group single-handedly directs funding to an individual project. Federal law, state law and agency policies are woven together to establish the framework for assessing Florida's transportation needs for short and long term periods, as well as to guide the process for prioritizing how transportation revenues will be allocated to the various transportation projects and geographic areas of the state.

Over the past several years, Florida's transportation revenues have declined, and will most likely continue to do so. Coupled with the extreme increase in transportation costs, Florida must examine every alternative available to meet the transportation demands and expectations of our residents and visitors.

During the 2007 Legislative Session, CS/CS/HB 985 made a number of changes in state policy that will allow greater flexibility to state and local governments to fund and finance transportation infrastructure, including enhancing our ability to partner with the private sector to build, operate and maintain transportation facilities, and to begin eliminating state subsidies of existing toll facilities. Further, CS/CS/CS/SB 605 established a new transportation authority in the Tampa Bay region. While not all of the state is covered by a regional transportation authority, many parts of the state are, thereby allowing greater focus on meeting transportation needs from a regional and local perspective, while freeing the state Department of Transportation (DOT) to focus on statewide needs.

This interim project will examine Florida's existing policies with respect to allocating revenues to develop the transportation work program, including state policies and agency guidelines for the program areas included in the work program as well as the distribution formulas to the various DOT districts.

**Purpose of the Project:** The Department of Transportation is an executive agency whose primary duties are defined in Chapters 332, 334, 335, 338, 339, 341, and 479 of the Florida Statutes. The primary mandate of these laws requires DOT to assume the responsibility for coordinating the planning of a safe, viable, and balanced state

transportation system serving all regions of the state, and to assure the compatibility of all components, including multimodal facilities. The law further requires that resources available for the implementation of statewide and interregional transportation priorities be focused on the Strategic Intermodal System [s. 339.61(2), F.S.], which is composed of appropriate components of state owned and non-state owned facilities of all transportation modes [s. 339.62, F.S.]. DOT is also mandated to adopt policies, rules, procedures, and standards which are necessary for the department to function properly, including establishing accountability for all aspects of the department's operations.

Florida's transportation needs have drastically changed over the years. The existing state laws and DOT policies should be reviewed to ensure they continue to adequately address transportation needs.

This project will examine the existing use of transportation revenues in comparison to the current needs identified by DOT, the Metropolitan Planning Organizations (MPO), and the local government where there is no MPO, and Florida's transportation partners. Staff will evaluate concepts for an equitable, needs based distribution of transportation revenues. Data collected for the evaluation will include, but not necessarily be limited to:

- Statutory requirements for use of STTF revenues;
- DOT policies for use of state flexible funding;
- Florida's population, from the Economic Demographic Research Center;
- Road usage, from DOT's 2005 Annual Average Daily Traffic Report;
- Centerline and lane miles, from DOT's 2005 Highway Mileage Report; and
- Transportation demands related to travel, trade and freight, from DOT's 2005 Transportation Trends and Conditions Report, specifically for:
  - Seaports
  - Aviation Facilities
  - Rail Facilities
  - Public Transportation (Transit)
  - SIS Roadways
  - Arterial Roadways
  - Tourists and Visitors

In addition, the use of toll revenues will be analyzed. 2007 legislation authorizes the increase of toll rates in accordance with the Consumer Price Index, or similar inflation factor. As a result, DOT owned toll facilities should become less reliant on DOT subsidies for operating and maintenance costs, therefore freeing up existing funds for other transportation needs.

Alternative distribution scenarios will be provided for consideration as a result of the comparative analyses and optional approaches for use of traditional transportation revenues and toll revenues.

**Expected Format for Outcome:** The final work product will be a formal report, which may include recommendations for policy and/or funding alternatives. Moreover, because of the magnitude of the project and the complexities of the transportation planning and financing systems as well as long-term implications of any significant change, this project could result in laying the groundwork for a more in-depth study of some or all aspects of Florida's transportation system. Research and preliminary findings may require the project scope and methodology to be further refined; this will be determined at the mid-term progress report stage.

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	X						
Data collection	X	X					
Meet with affected parties		X	X				
Convert data into alternative distribution scenarios			X	X			
Transmit preliminary findings and alternatives to affected parties for comment				X			
Analyze affected parties' input and incorporate suggestions as necessary and appropriate					X	X	
Write draft report						X	
Finalize report							X
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Economic Expansion and Infrastructure Council/Committee on Economic Development

**Project Title:** Economic Development Incentives in Florida: Is the State Making the Most of Its Investment?

**Staff Responsible:** Sherri Croom, Ryan West

**Problem Statement:** Economic development in the State of Florida is directed by the Executive Office of the Governor through the Office of Tourism, Trade, and Economic Development (OTTED) and Enterprise Florida, Inc., (EFI). EFI is structured as a public-private partnership with state government and focuses on expanding the high-value sectors of our state's economy such as life sciences, information technology, aviation and aerospace industries, and national security/homeland defense for the purpose of strengthening and diversifying Florida's economy. EFI directs the state's economic development strategy through programs and initiatives designed to attract high-wage jobs to the state. Some common economic development incentives include tax refunds or reimbursements, grants, work training programs, enterprise zones, and tax credits. The project will detail the effectiveness of business incentives currently used in Florida such as:

- Qualified Target Industry Tax Refund Program (QTI)
- Qualified Defense Contractor Program (QDC)
- High Impact Performance Incentive Program (HIPI)
- Capital Investment Tax Credit (CITC)
- Quick Response Training Incentives (QRT)
- Incumbent Worker Training Program (IWT)
- Quick Action Closing Fund
- Economic Development Transportation Fund
- Innovation Incentive Program
- Rural Incentives
- Enterprise Zone Incentives
- Brownfield Incentives

The Florida Legislature has made a substantial commitment to economic development, particularly in recent years. Over \$352.6 million was appropriated for fiscal year 2007-2008 from the General Revenue Fund and various trust funds to the programs listed above. One goal of the project is to determine if the state is appropriating funds in the most effective way possible.

Listed below are relevant questions concerning economic development incentives in our state:

- Which incentives are being used most frequently and are any considered out-of-date or unnecessary?
- What role do economic development incentives play in improving the economy of the state?
- What are other states doing?
- What are the state's economic development needs, short-term and long-term?
- How can the state meet these needs? Which incentives are useful in meeting the needs of the state?

**Purpose of the Project:** This project is designed to explore the above-mentioned questions in order to provide policymakers with information regarding economic development practices in Florida. This project aims to detail which incentives are working in Florida most effectively. Another goal of this project is to determine what incentives are not being utilized by Florida and whether those incentives might bring about further economic development in this state.

Staff will research the economic development practices of Florida and compare those with the practices of other states. Staff will focus on states that are viewed as competitors to Florida and states that have similar economic characteristics to Florida. Staff will work with EFI, the Agency for Workforce Innovation (AWI), statewide and local economic development entities, businesses, and other relevant entities to gather and analyze information relevant to this project. Further assistance may also be obtained from the Office of Program, Policy, and Government Accountability and the Office of Economic and Demographic Research. Finally, staff will review literature and studies related to these issues.

**Expected Format For Outcome:** The final work product will be a formal report. Both legislation and recommendations for policy ideas are possible outgrowths of the report.

### Anticipated Timeframe:

[illegible]

**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Economic Expansion and Infrastructure Council/Committee on Ethics & Elections

**Project Title:** Conducting Elections by Mail Ballot

**Staff Responsible:** Bucky Mitchell, Rich Brown

**Problem Statement:** It costs roughly \$21 million to conduct a statewide election in Florida based upon information provided by the Department of State's Division of Elections. Voting by mail may be one method to reduce the cost of elections. There are current statutory limitations on the use of mail ballots, pursuant to section 101.6102, Florida Statutes.

Generally, mail ballots may be used for referendum elections in local jurisdictions such as counties, cities, single county school districts and special districts. Under current law, mail ballot elections cannot be used for elections at which any candidate is nominated, elected, retained, or recalled. See s. 101.6102(2)(a), F.S.

At least 17 states currently permit limited use of voting by mail. Most of those permit mail ballots only in nonpartisan and local elections.

**Purpose of the Project:** Florida's current election system permits three types of voting: early voting, election day voting at the polls, or voting by absentee ballot, as an increasing number of voters do. The purpose of the interim project is to examine the possibility of expanding the use of mail ballot elections to candidate-based races as an alternative to costly, conventional elections.

Research will include examining other states and their experience with voting by mail, specifically how voter turn-out and election costs may be affected. A survey of the supervisors of elections in Florida's 67 counties will also be conducted to determine the practicality of using voting by mail for candidate-based elections on the local *and* statewide level.

**Expected Format for Outcome:** Formal report with potential policy options for using mail ballots.

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	X	X					
Send written survey to affected parties		X					
Analyze survey and research results			X	X			
Write draft report					X		
Submit report to Speaker's Office						X	
<b>Midterm progress report to Speaker's Office</b>				9/07			
<b>Maximum due date for completion</b>							12/28

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Economic Expansion and Infrastructure Council/Committee on Economic Development

**Project Title:** A Study to Evaluate Florida's Rural Economic Development Programs

**Staff Responsible:** Sherri Croom

**Problem Statement:** The Office of Tourism, Trade and Economic Development (OTTED) and Enterprise Florida, Inc. (EFI) are responsible for Florida's statewide economic development efforts. OTTED and EFI focus on diversifying Florida's economy and creating better paying jobs for its citizens by supporting, attracting and helping to create businesses in innovative, high-growth industries. Included in this responsibility, among other things, EFI and OTTED serve as the state point on rural development issues through oversight of the Rural Economic Development Initiative (REDI). REDI, which consists of representatives from 18 state agencies, was created to encourage and align critical state agency participation and investment around important rural issues and opportunities.

According to OTTED, there are currently 33 counties that meet the statutory definition of "rural," consisting of 6 percent of Florida's total population. Since 1999, the state has provided approximately \$106 million in economic development assistance to rural communities, supporting more than 133 projects in 29 rural counties and 5 rural cities, creating more than 14,400 jobs, and infusing more than \$1.4 billion in new capital investment.

Although much progress has been made, Florida's rural county averages for per capita income, wages, poverty rates, and per capita taxable value still trail the state.

- Average per capita income of \$20,610 vs. \$31,469 statewide
- Average annual wages of \$28,000 vs. \$36,804 statewide
- Average poverty level of 15.1 percent vs. 11.9 percent statewide

Questions have arisen concerning the efficiency of the state's rural economic development programs, and whether the structure or policies of state government have hindered the development of these rural areas:

- What economic development needs do our state's rural areas have?
- Which agency programs have been successful at developing rural areas? Can we improve these programs?
- How can the state provide agencies with more flexibility to address the demands of rural economic development projects?
- What do businesses value when relocating to a rural area: state and local incentives, educated workforce, infrastructure, additional businesses, population? Do small and large businesses value the incentives differently?



**Purpose of the Project:** Questions have arisen concerning the efficiency of the state's rural economic development programs, and whether the structure or policies of state government have hindered the development of these rural areas. The project will attempt to answer the questions posed above in order to assist members to have a better understanding of the related issues in developing rural areas in Florida. Additionally, staff will coordinate with the Rural Economic Development Initiative agencies and local governments to determine which current programs and incentives are most beneficial.

Staff will review other state laws to determine what is being done to address these issues in those states. They will evaluate alternative methods to expedite the allocation of state agency resources in assisting rural areas, and will survey both small and large businesses to determine what is of highest value when relocating to rural areas. Finally, staff will be reviewing literature and studies related to these issues.

**Expected Format for Outcome:** The final work product will be a formal report. Both legislation and recommendations for policy ideas are possible outgrowths of the report.

### Anticipated Timeframe:

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# **Environment & Natural Resources Council**

## **Interim Projects**

**Representative Stan Mayfield, Chair**  
**Representative Baxter G. Troutman, Vice Chair**



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Environmental and Natural Resources Council/Committee on Conservation and State lands

**Project Title:** Land Acquisition, Capital Projects and Long-term Land Management

**Staff Responsible:** Leonard Zeiler, Steve Palmer, Ralph Perkins

**Problem Statement:** Over the past thirty years, Florida has invested more than \$6 billion to conserve approximately 3.6 million acres of land for environmental, recreational and preservation purposes. Florida Forever is the state's most recent blueprint for conserving natural resources and is scheduled to continue to the year 2010. It replaced the highly successful Preservation 2000 program, the largest program of its kind in the United States. The Florida Forever Act, implemented in 2000, reinforced Florida's commitment to conserve its natural and cultural heritage, provide urban open space, and better manage the land acquired by the State. Florida Forever is more than an environmental land acquisition mechanism. It encompasses a wide range of goals including: environmental restoration; water resource development; increased public access; public lands management; and increased protection of land through conservation easements.

Prior to the 2007 Legislative Session, a consortium of environmental groups proposed doubling the bonding capacity of a successor program to Florida Forever. It is anticipated this proposal or a similar proposal will be suggested for consideration by the 2008 Legislature.

Despite the success of past programs, future acquisitions face increased land costs, budget constraints, and land management duties. As Florida plans for the successor to the Florida Forever Program, it must address these challenges. The long-term management of conservation lands and public access to such lands have been of particular concern to several House Members. The perception of lack of public access to land under state ownership is possibly due to limited public input during the development of land acquisition plans and land management plans.

Currently, the state allocates land management funding based on acres managed by the managing agency. The existing distribution of funds is not based on level of effort. This methodology does not direct resources towards actual needs and may leave departments with more intense land management efforts underfunded.

**Purpose of the Project:** The purpose of the project is to determine:

- Do the current management tools capture the actual land management cost for conservation land?

- Are current land management activities providing the intended benefit (conservation and public access)?
- In developing land acquisition strategies, does the current process adequately address land management and its long-term cost?
- Can the allocation of land management funding be improved, and if so, how?

The methodology will begin with a review of the history of the state's land acquisition programs and their objectives. A review of the Chapters 253 and 259, Florida Statutes, and related department rules will be conducted to identify current land management requirements and reporting mechanisms.

A summary of acreage acquired, personnel and land management cost since P2000 will be obtained. Reviews of the current Acquisition and Restoration Council's process and the Land Management Advisory Council activities and reports will be conducted. A review of current funding allocations will be conducted.

Two opinion surveys will be developed and conducted: 1) to determine whether public participation is adequately addressed and encouraged. and 2) to determine the current unmet needs and challenges faced by the state's land managers. Interested parties will be contacted for suggestions for improving public participation.

**Expected Format for Outcome:** The expected outcome is a formal report to be utilized by the Committee on Conservation and State Lands and the Environmental and Natural Resource Council to evaluate current land acquisition prioritizations and to possibly develop a future land acquisition program that includes a focus on land management strategies prior to acquisition. A land management funding allocation proposal will be developed that allocates resources based upon land management efforts.

#### **Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	X	X					
Research other states		X					
Meet with affected parties		X	X				
Send written survey sent to affected parties			X	X			
Analyze survey results					X		
Write draft report						X	
Finalize report							X
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/08</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Environment and Natural Resources Council/Committee on Environmental Protection

**Project Title:** Environmental Resource Permitting/Wetlands Regulations

**Staff Responsible:** Michael Kliner, Jennifer Deslatte, Caleb Helpling

**Problem Statement:** Florida has a comprehensive state regulatory program that regulates most land (upland, wetland, and other surface water) alterations throughout the state. The regulatory program also includes a federal State Programmatic General Permit and implementation of a statewide National Pollutant Discharge Elimination System (NPDES) program. In addition activities located on or using state-owned sovereign submerged lands also require applicable proprietary authorizations (including Consents of Use, Leases, and Easements).

The issuance of a state environmental resource or wetland resource permit also constitutes a state water quality certification or waiver thereto under section 401 of the Clean Water Act, 33 U.S.C. 1341, and, in coastal counties, a finding of consistency under Florida Coastal Zone Management Program under Section 307 (Coastal Zone Management Act). When a corresponding federal dredge and fill permit is required, it is issued independently from the state permit by the U.S. Army Corps of Engineers (USACE) after issuance or waiver of the state water quality certification and applicable coastal zone consistency concurrence.

The comprehensive nature of the state program is broader than the federal program in that it also regulates alterations of uplands that may affect surface water flows, including addressing issues of flooding and stormwater treatment. The state program is in addition to, not in place of or superseded by the federal dredge and fill permit programs. There are no thresholds wherein some activities are reviewed by the state and others by the federal government. In essence applicants must get all applicable permits and authorizations from both the state and the federal government before beginning work. In addition to state and federal permits, an applicant may also be required to seek a permit from a municipality or county if that entity has ordinances that regulate wetland resources.

Section 373.441 of the Florida Statutes provides authority for the Department and the water management districts to delegate all or a portion of the Environmental Resource Permit Program to local governments. Currently, the Department has delegation agreements with the city of Tallahassee, as well as the counties of Miami-Dade and Broward.

**Purpose of the Project:** Staff will research current federal, state and local regulations regarding environmental resource permitting to determine whether state regulatory standards provide adequate protections of wetlands and the impacts of a multi-tiered regulatory system.

**Expected Format for Outcome:** Whitepaper

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	6/30						
Develop survey to local governments		7/15					
Send out survey to affected parties		7/30					
Analyze survey results				9/10			
Write draft report					10/15		
Finalize report						11/30	
Submit report to Speaker's Office							12/10
<b>Midterm progress report to Speaker's Office</b>				<b>9/17</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Environment and Natural Resources Council/Committee on Environmental Protection

**Project Title:** Peer Review of Water Management District Projects

**Staff Responsible:** Michael Kliner, Terri Smith, Lynn Dixon

**Problem Statement:** The Florida Department of Environmental Protection is involved in managing the quality and quantity of water through its relationship with the state's five water management districts: Northwest Florida Water Management District, Suwannee River Water Management District, St. Johns River Water Management District, South Florida Water Management District and Southwest Florida Water Management District.

The water management districts administer flood protection programs and perform technical investigations into water resources. The districts also develop water management plans for water shortages in times of drought and to acquire and manage lands for water management purposes. Regulatory programs delegated to the districts include programs to manage the consumptive use of water, aquifer recharge, well construction and surface water management.

Water management districts have the authority to levy ad valorem (property) taxes to support water management activities. In addition to their ad valorem authority, other revenue sources include the United States Government, local governments within the district, permit fees and interest earnings on investments, and the State of Florida. For FY 2006-2007, the state appropriated approximately \$602 million to the water management districts.

Differences in works, or projects, vary between districts. For instance, one pump station, the S331 Control Structure, within the South Florida Water Management District is estimated by the district to be completed in July, 2009, at a cost of \$7 million. The cost for the S331 station represents almost 20 percent of the Suwannee River Water Management District's entire annual budget for FY 2007-2008.

The South Florida Water Management District (SFWMD, or District) currently lists 87 projects in its project inventory with estimated costs that exceed the \$1,000,000 threshold. A total of 40 works in the District have estimated costs in excess of \$5 million dollars; 17 of those works have costs in excess of \$50 million dollars each; 11 projects have estimated costs in excess of \$100 million; two projects have estimates costs that exceed \$500 million.

According to the SFWMD, it has a broad project management structure that provides consistent and thorough review of the projects underway at the District. Currently, the District uses standard project management tools such as project management training and specialized software programs to guide each project to a successful conclusion. In addition, the District uses budget and financial controls to keep projects on track. The District budget is reviewed by the Governor, the Department of Environmental Protection and the Florida Legislature. Beyond internal controls, external controls are in place. The Inspector General reports to the Governing Board of the District and in the past five years, eight Everglades related audits have been completed and provided to the Governing Board of the District. The 2007 District Audit Plan calls for five audits to be completed.

External oversight also is a large part of project management. Over 12 external groups, ranging from Federal Auditors to the National Research Council, have input into District projects. Finally, public involvement is a key component of the District's project management effort.

During the 2007 Regular Session, Representative Williams filed HB 1493, which directed OPPAGA to annually evaluate water management district works at or in excess of a specified cost threshold, to provide evaluation criteria, and to report its findings to the Legislature. The focus of the bill was to establish an independent review of water management district works which resulted in a report to the Legislature. The House bill favorably passed the Committee on Environmental Protection, but died in the Council for Environment and Natural Resources. The Senate companion died in its committee of origin.

**Purpose of the Project:** Staff will work with the DEP and the water management districts to identify the water projects within each district that meets or exceeds a threshold amount. Staff will work with the DEP, water management districts, and the Florida Office of Program Policy Analysis and Government Accountability (OPPAGA) to determine what is needed to conduct peer reviews of the targeted projects, and the estimated costs for such reviews.

**Expected Format for Outcome:** Report with policy options

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	6/30						
Meet with OPPAGA and WMDs		7/15					
Send written survey sent to affected parties			8/27				
Analyze survey results					10/15		
Write draft report						11/30	
Finalize report							12/10
Submit report to Speaker's Office							12/19
<b>Midterm progress report to Speaker's Office</b>				<b>9/17</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Environment and Natural Resources Council

**Project Title:** Keys Wastewater Plan

**Staff Responsible:** Tom Hamby, Lynn Dixon, Greg Davis

**Problem Statement:** The Florida Keys Area was designated as an area of critical state concern over 30 years ago for the purpose of providing state policies to guide decision making at the local level to protect natural resources and the environment, reverse the deterioration of water quality, and facilitate orderly, well-planned growth while protecting property rights. Current law provides that while any land development regulation or element of a local comprehensive plan in the Florida Keys may be enacted, amended or rescinded by the local government, the regulation or element is not effective until approved by the Department of Community Affairs (DCA), and that all local development regulations or comprehensive plans must be in compliance with statutory principles for guiding development.

Under current law, the area of critical state concern designation for the Florida Keys will be removed as of October 1, 2009, unless the Florida Administration Commission finds that substantial progress toward achieving specified goals -- including wastewater treatment requirements -- has not been achieved. After removal of the designation as an area of critical state concern, DCA is required to review proposed local comprehensive plans, and any amendments to existing comprehensive plans, which are applicable to the Florida Keys Area, for compliance with the following:

- Adoption of construction schedules for wastewater facilities improvements in the annually adopted capital improvements element and adoption of standards for the construction of wastewater treatment facilities which meet or exceed the criteria of chapter 99-395, Laws of Florida.
- Adoption of goals, objectives, and policies to protect public safety and welfare in the event of a natural disaster by maintaining a hurricane evacuation clearance time for permanent residents of no more than 24 hours.

In the 1990s, concerns were raised about nutrients from sewage entering the nearshore waters of the Florida Keys from both onsite sewage treatment and disposal systems (septic tanks and cesspits) and from central wastewater treatment facilities. In order to address these concerns, the 1999 Legislature established uniform sewage treatment and disposal standards in the Keys for both onsite sewage treatment and disposal systems (OSTDS), which are permitted by the Department of Health (DOH), and wastewater treatment plants, which are permitted by the Department of Environmental Protection (DEP).



Ch. 99-395, L.O.F., required that each OSTDS either cease discharging or comply with the stringent effluent water quality standards provided by law and the rules of the DEP or the DOH, as applicable, by 2010. For central wastewater treatment facilities, the treatment standards were strengthened by: eliminating all surface water discharges by the year 2006; requiring proper operation, maintenance and performance monitoring of all sewage treatment systems; and requiring the upgrading of all systems to meet the enhanced sewage treatment requirements specified in the bill by the year 2010.

Concerns have been raised regarding the ability of local governments to meet the 2010 deadline. Several entities, including Monroe County, the Florida Keys Aqueduct Authority, the Key Largo Wastewater Treatment District, and several cities are involved in the construction/management of wastewater treatment systems. During the 2007 Legislative Session, concerns were expressed regarding the lack of specific plans and estimated costs associated with meeting the wastewater requirements established in ch. 99-395, L.O.F. In response to inquiries from the House Environment and Natural Resources Council, the DEP provided information that is summarized below.

#### *State Appropriations*

The Legislature has appropriated state funds in four increments for wastewater project construction in the Florida Keys since 2002-03. The appropriations, less vetoes, are summarized in the table below.

#### Specific Appropriations

<b>Fiscal Year</b>	<b>Appropriation Amount</b>	<b>Purpose State in General Appropriations Act (GAA)</b>
<b>2002-03</b>	\$11,800,000	GAA proviso distribution to Marathon, Key West, Islamorada, Monroe County (Key Largo), Layton, Key Colony Beach
<b>2003-04</b>	\$0	
<b>2004-05</b>	\$10,000,000	GAA, but no specific proviso. DEP required “self-selection” of ready projects by County local governments, which resulted in funding for Islamorada, Layton and Key Colony Beach.
<b>2005-06</b>	\$7,000,000	GAA proviso distribution to Marathon
<b>2006-07</b>	\$20,000,000	GAA proviso distribution to Key West (\$2 million) and Monroe County (\$18 million), with criteria for Monroe County identification of qualifying projects—money distributed to Marathon, Key Largo and unincorporated Monroe County.

### *Other Funding Through DEP*

In addition to direct legislative appropriations, DEP has entered into a number of State Revolving Fund (SRF) loan agreements with local governments in Monroe County for the planning, design and construction of wastewater facilities. The SRF is a low-interest loan program implemented by DEP pursuant to sections 403.1835 and .1837, F.S. It is subsidized by federal appropriations, which must be matched by the state at 20% of available federal dollars. Repayments on prior year loans are returned to the fund to make new loans and, thus, the “revolving” nature of the program. Loan terms are typically 20 years and interest rates range between 60% and 80% of market rates—current rates are between 2.51% and 3.34%. The total value of loans for wastewater projects in the Keys to date is \$22,716,076.

### *Funding “Need”*

The total remaining cost of wastewater projects in the Keys necessary to meet the treatment and disposal requirements of chapter 99-395, L.O.F., as amended, is elusive at best. Of the major publicly-owned uncompleted projects (unincorporated Monroe County, Islamorada, Key Largo, and Marathon), only Marathon is sufficiently far enough along with planning, design and construction to provide reliable estimates of costs. Other costs are, for the most part, in the planning stage and are inherently less reliable. In addition, the longer it takes to finance and complete projects, the more costs will escalate.

The costs in the table below represent the best available estimate based on information from the local government’s planning or study documentation, updated to 2007 dollars.

These estimates do not address how the costs could be funded. There is no formula for state vs. local vs. federal participation. To the extent loans are made to these communities, the costs will be paid by the customers through rates and fees, which will be minimized because of the low-interest nature of the loans. Rates and fees could be further reduced by any direct federal or state appropriations (grant funding).

Summary of Master Wastewater Project List - February 2007				
	#	Estimated Cost	Contracted to Date	Estimated Balance to Complete
Unincorporated Monroe County	7	\$169,500,000	\$31,700,000	\$137,800,000
Village of Islamorada	7	\$112,000,000	\$20,500,000	\$91,500,000
City of Key West	4	\$5,400,000	\$5,400,000	\$0
City of Key Colony Beach	1	\$491,000	\$491,000	\$0
Key Largo Wastewater Treatment District	11	\$157,000,000	\$15,000,000	\$142,000,000
City of Layton	1	\$5,700,000	\$5,700,000	\$0
City of Marathon	7	\$82,000,000	\$22,876,000	\$59,124,000
		\$532,091,000	\$101,667,000	\$430,424,000

**Purpose of the Project:** The purpose of this interim project is to develop a plan to address the wastewater needs of the Florida Keys in the most cost effective and efficient manner. The goal of the project is work with the DEP to facilitate the establishment, through interlocal agreements or other means, of a single local government entity responsible for coordinating with the state throughout the life of the project. This local government entity will be expected to provide the following items.

- A single comprehensive plan identifying existing and proposed projects, including a priority of sequencing projects, needed to meet the comprehensive wastewater needs in the Keys.
- The status of existing and proposed projects and whether they are expected to meet the 2010 deadline.
- A listing of the projected and actual project costs associated with completed and proposed projects.
- A listing of existing and proposed sources and amount of funds needed to complete the necessary projects.

In addition, policy options will be developed and analyzed to fund the comprehensive wastewater project contingent upon receipt of the information listed above.

**Expected Format for Outcome:** A formal report will be prepared to provide background information, present the results of local efforts to address the points listed above, and provide policy options, including options to fund the comprehensive wastewater plan.

### Anticipated Timeframe:

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research	6/30						
Meet with DEP		7/31					
Meet with Keys local government representatives			8/31				
Develop and analyze financing options				9/30			
				9/10			
Write draft report					10/15		
Finalize report						11/30	
Submit report to Speaker's Office							12/10
<b>Midterm progress report to Speaker's Office</b>				<b>9/17</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Environment & Natural Resources Council/Committee on Agribusiness

**Project Title:** Conservation/Preservation of Agricultural Lands

**Staff Responsible:** Debbi Kaiser, Susan Reese

**Problem Statement:** Over the past thirty years, Florida has invested more than \$6 billion to conserve approximately 3.6 million acres of land for environmental, recreational and preservation purposes. Florida Forever is the state's most recent blueprint for conserving natural resources and is scheduled to continue to the year 2010. It replaced the highly successful Preservation 2000 program, the largest program of its kind in the United States. The Florida Forever Act, implemented in 2000, reinforced Florida's commitment to conserve its natural and cultural heritage, provide urban open space, and better manage the land acquired by the state. Florida Forever is more than an environmental land acquisition mechanism. It encompasses a wide range of goals including: environmental restoration; water resource development; increased public access; public lands management; and increased protection of land through conservation easements.

While there is still a need to preserve unique habitats for environmental conservation, there is a growing awareness of the pressures development is now placing on the state's agricultural lands. Agriculture is an important economic "engine" for Florida, accounting for nearly \$62 billion in total economic impact to the state's economy in 2005. At the current rate of development of agricultural lands, however, within the next 50 years the state will have only a small fraction of its agricultural lands still available for producing food for its citizens and for export to other states and countries.

In 1990, according to the Department of Environmental Protection's *History of Florida Conservation Efforts*, about 19 acres per hour of forest wetland and agricultural land was being converted for urban uses.

**Purpose of the Project:** A primary question is, "does the state want to preserve agricultural lands?" Secondarily, are there conservation and/or acquisition mechanisms/programs/laws in place to aid in such preservation, and, if so, how are the existing mechanisms functioning?

The purpose of the interim project is threefold:

- (1) To gather data and information as to the amount of agricultural lands in the state that are as yet undeveloped.

(2) To assess the rate at which such lands are being converted to residential, commercial and industrial uses.

(3) To examine and evaluate the effectiveness of current legal mechanisms for preserving lands in agricultural uses.

- The Rural and Family Lands Protection Act, ss. 570.70-.71, F.S., was enacted by the 2001 Legislature to limit urban expansion by conserving farmland and green space through rural land conservation easements. The act empowered the Department of Agriculture and Consumer Services (department) to allocate moneys to acquire perpetual easements; enter into agricultural protection agreements; and enter into resource conservation agreements, primarily relating to timber and ranch lands. The act has never been funded.
- The Rural Land Stewardship Program (RLSA), s. 163.3177(11)(d), F.S., also enacted in 2001, established a program to provide conservation easements and agreements as well as stewardship agreements to promote the conservation of rural lands and to allow development within a transfer area. Rural Land Stewardship is an incentive-based system that preserves critical natural resources, retains agriculture, and promotes quality growth and economic diversification within rural areas.

Several steps are involved, including county adoption of a comprehensive plan amendment designating land as a RLSA and adoption of an implementing land development regulation in the county ordinances. The regulation establishes the rules for the trading of development credits within the RLSA. The DCA's approval is required for this process. The county then amends its zoning ordinance to reflect the amended comprehensive plan and development regulation. For a development project within the RLSA, a developer must specify specific parcels as a sending area from which development credits are being purchased and specific parcels as a receiving area to be developed.

Staff is of the opinion that most of the information as to the amount of land that is in agricultural use and the rate of conversion of those lands from agricultural use is currently available through institutions such as the Florida Farm Bureau and the Institute for Food and Agricultural Sciences at the University of Florida. The current legal mechanisms, such as the Rural and Family Lands Protection Act and the Rural Land Stewardship program, are in Florida Statutes. The effectiveness of such mechanisms will be evaluated through interviews with state agency personnel (including the Department of Agriculture and Consumer Services and the Department of Community Affairs), local governments, and the agricultural community.

**Expected Format for Outcome:** Formal report.



**Anticipated Timeframe:****Timeframe for Interim Project**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research	X						
Research other states		X					
Meet with interested parties (workshops/public hearings)			X				
Send written survey sent to affected parties				X			
Analyze survey results					X		
Write draft report						X	
Finalize report							X
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

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# **Government Efficiency & Accountability Council**

## **Interim Projects**

**Representative Andy Gardiner, Chair**  
**Representative Michael Grant, Vice Chair**



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Government Efficiency & Accountability Council

**Project Title:** Review of Motor Vehicle Replacement Practices by State Agencies

**Staff Responsible:** Tom Cooper, David De La Paz and Legislative Intern

**Problem Statement:** During the 2007 Legislative Session questions arose as to whether state agencies are utilizing outdated mileage and age of vehicle guidelines when replacing motor vehicles. Also, an issue surfaced regarding the lack of a coordinated and uniform assessment mechanism for replacing agency vehicles. Currently, DMS does not survey all of the agencies to determine whether they follow the minimum replacement criteria or if they exceed the minimum criteria.

**Purpose of the Project:** The purpose of this project is to review and analyze current motor vehicle replacement practices and present options for increasing accountability and cost-effectiveness.

**Expected Format for Outcome:** Written report with options for legislative action.

### Anticipated Timeframe:

[illegible]

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Government Efficiency & Accountability Council/Committee on Audit & Performance

**Project Title:** Request for Agency Chief Information Officers Council to Assess Agency Compliance with s. 119.01(d), F.S., and to Identify and Recommend Best Practices to Facilitate Improved Free Access to Public Records, Data and Information

**Staff Responsible:** David De La Paz

**Problem Statement:** Section 119.01(d), F.S., provides that “[s]ubject to the restrictions of copyright and trade secret laws and public records exemptions, agency use of proprietary software must not diminish the right of the public to inspect and copy a public record.” Currently, some agencies store data and documents only in formats that are accessible with vendor specific software, however the extent to which this is currently taking place is not known. In addition, this section has no enforcement mechanism to curb continued violations or to provide agencies with any disincentives to produce and store documents using vendor specific software. This may also prevent other agencies from sharing data which could be used across agency jurisdictional lines because the data is not stored in a standardized format that would make the information accessible between different agencies using their own software. In addition, all agencies use predominately one vendor specific computer operating system which carries with it an average computer hardware refresh cycle of approximately 3 to 4 years for all state agencies. The feasibility of using an open or non-vendor specific operating system and the possible extension of time between computer hardware refresh cycles has not been evaluated for feasibility or cost savings by the various agencies. Further, as agencies purchase upgrades and higher line computers, access to older documents, information and data, is not consistently preserved and is frequently not capable of integration, migration or use by computers with newer systems, diminishing the public’s capacity to access information and documents stored under previous formats of vendor specific software which has become obsolete or discontinued by the vendor upon completion of an agency refresh cycle.

**Purpose of the Project:**

1. To ascertain the extent to which the current use of proprietary software is impeding access to public records and information without the use of vendor specific software. To use the information gathered to develop a plan to phase in, within a reasonable timeframe, agency compliance with the public records provision.
2. To establish possible enforcement mechanisms to create incentives for agencies to comply with the mandate of the public records law.
3. To assess the feasibility and potential cost savings associated with reducing the interim between agency computer hardware refresh cycles.

**Methodology:** Committee staff will contact each representative on the Agency Chief Information Officers Council and follow-up, if necessary, requesting the Agency Chief Information Officers Council to review the matters generally outlined above. Staff will coordinate with the members of the Council to establish a meeting schedule and outline an

implementation plan for the Council to gather the requested information from their respective agencies and to report their findings and recommendations back to the Committee Chair. Staff will collect and evaluate the information and recommendations received and collaborate with the Council members to develop a plan to reduce and eventually eliminate continuing violations of s.119.01(d), F.S. Staff will independently review agency websites for possible violations of s. 119.01(d), F.S. Staff will draft proposed legislation as required to create a means to enforce the provisions of s. 119.01(d). Staff will report the findings of the Council with respect to all the issues reviewed to the Committee Chair.

**Expected Format for Outcome:** A white paper and draft legislation.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Follow-up with Agency Chief Information Officers Council members to plan a meeting schedule and establish a confirmed meeting schedule of the council	X						
Conduct Committee Staff's Independent Review of Agency Websites and Council Report re: violation assessment due to committee staff.		X					
Due date for Council to provide findings and recommendations				X			
Establish Plan for phased in compliance					X		
First draft of proposed legislation & White Paper						X	
Final draft of proposed legislation & White Paper							X
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Committee on Military & Veteran Affairs

**Project Title:** Military Base Encroachment

**Staff Responsible:** Karen Camechis and Chris Shaffer

**Problem Statement:** Military installations are often located near urban areas due largely to the limited availability defense and security purposes. Over time installations draw people and businesses closer to take advantage of civilian job opportunities offered by the installation and to provide the goods and services to support the installation's operations.

Military operations can be loud and present safety concerns for nearby civilian communities. Low flying, high performance military aircraft can create both noise and accident potential during landings, take-offs and training exercises. Ground training exercises -- artillery firing ranges, maneuver areas and aerial bombing ranges -- generate impacts and noise that can adversely affect the surrounding community if the civilian population locates too close.

Conversely, when developing urban centers build near active military bases, the operational effectiveness, training and readiness missions can be impaired. Urban encroachment near a military facility if allowed to go unregulated can compromise the utility and effectiveness of the installation and its mission. Certain land use activities -- residences, schools and childcare centers, religious centers, nursing homes, hospitals, commercial and office centers -- are not compatible uses if located too close to military operations.

Sections 163.3175, 163.3177, 163.3187, and 163.3191, F.S., of the Growth Management Act require each county in which a military base is located and each affected municipality to send to the commanding officer of the military installation information regarding proposed changes to the comprehensive plan and land development regulations that would affect the intensity, density or use of land adjacent to the military base. The laws required affected local governments to amend their comprehensive plans by June 30, 2006, to include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations. Division of Community Planning staff within the Department of Community Affairs is developing a work plan for implementing these requirements.

**Purpose of the Project:** The purpose of this project is to review and analyze current federal and state law regarding military base encroachment issues. This review will include assessment of the implementation of relevant portions of the Growth Management Act as well as examining how other states have addressed the issue.



**Expected Format for Outcome:** Whitepaper

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>						
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Background research	X						
Research other states		X					
Meet with affected parties			X				
Write draft report					X		
Finalize report						X	
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/07</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Government Efficiency & Accountability Council / Committee on State Affairs

**Project Title:** Open Government Sunset Reviews

**Staff Responsible:** Heather Williamson and Christian Camara

**Problem Statement:** The Division of Statutory Revision, pursuant to the Open Government Sunset Review Act, certified for repeal seven public records exemptions. Following are the seven exemptions requiring review:

1. Section 63.0541, F.S. – Information contained in the Florida Putative Father Registry.
2. Section 119.071(2)(h)2., F.S. – Photos, videotapes, or images of any part of the body of a victim of a sexual offense.
3. Section 119.0713(2), F.S. – Personal identifying information regarding eligibility for paratransit services (Title II of the Americans with Disabilities Act) or the transportation disadvantaged program.
4. Section 409.175(16), F.S. – Certain information submitted as part of the foster parent application process.
5. Section 409.821, F.S. – Information identifying a Florida Kidcare program applicant or enrollee.
6. Section 500.148, F.S. – Information deemed confidential by federal law and that is provided to the Department of Agriculture and Consumer Services during a joint food safety or food illness investigation.
7. Section 626.97411, F.S. – Credit scoring methodologies held by the Office of Insurance Regulation.

**Purpose of the Project:** Staff will review the public records exemptions by surveying all affected agencies, interviewing affected parties, collecting position statements from associations interested in the exemptions, reviewing case law, researching the history relating to the creation of the exemptions, and working jointly with Senate staff.

**Expected Format for Outcome:** Staff will present findings to the Committee. The presentations will provide Committee members with information for their use in determining if the exemptions should be reenacted, expanded, narrowed, or repealed. Those recommendations will result in an interim report(s) in addition to proposed council bills.

**Anticipated Timeframe:**

	<b>Anticipated Completion Date</b>							
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>	<b>Jan. 2008</b>
Background research	X							
Send surveys to affected agencies/parties		X						
Analyze survey results			X					
Follow-up research based on survey results (e.g., federal law research)				X				
Meet with affected parties				X				
Write draft report					X			
Make presentations to Committee						X		
Finalize report based on Committee presentations and recommendations by Committee members							X	
Submit report to Speaker's Offc								X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>				
<b>Maximum due date for completion</b>								<b>1/13/08</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Government Efficiency & Accountability Council /Committee on Urban & Local Affairs

**Project Title:** Review of Special Districts

**Staff Responsible:** All committee staff will play a role.

**Problem Statement:** The number of special districts in Florida continues to grow each year. Special districts may be authorized to perform a multitude of functions that county and city governments have previously performed. Prior to the 2007 Legislative session, there were 1,494 special districts active in Florida. All 67 counties in the State have at least one special district. The last review of special districts was completed in April, 1996.

**Purpose of the Project:** This project will research and update the current law for, the current number of, the taxation and special assessment authority of, the monitoring of and reporting by, and recent legislation for special districts in the State. Staff will also research other state laws related to special districts for comparison purposes and meet with affected parties to obtain input.

**Expected Format for Outcome:** Whitepaper

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research	X	X					
Research other states			X				
Meet with affected parties			X	X			
Write draft report					X	X	
Finalize report							X
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				9/07			
<b>Maximum due date for completion</b>							12/28



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# **Healthcare Council**

## **Interim Projects**

**Representative Aaron P. Bean, Chair**  
**Representative Juan C. Zapata, Vice Chair**



**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Health Quality

**Project Title:** Building Florida's Health Information Network

**Staff Responsible:** Jennifer Guy

**Problem Statement:** In 2004, Governor Jeb Bush created the Governor's Health Information Infrastructure Advisory Board, which is required to "advise and support the Agency for Health Care Administration as it develops and implements a strategy for the adoption and use of electronic health records and creates a plan to promote the development and implementation of a Florida health information infrastructure." The board's interim report issued in 2005 called for, among other recommendations, the immediate development of the Florida Health Information Network (FHIN) in order to encourage the adoption of electronic health records.

The agency's strategy in building the FHIN starts in the local community by encouraging local stakeholders to form organizations to begin the exchange of electronic health records. These organizations are generally known as Regional Health Information Organizations (RHIOs). To that end, the 2005 Legislature appropriated \$1.5 million in Fiscal Year 2005-06 to AHCA for a FHIN grants program in order to encourage the development of RHIOs, subject to Legislative Budget Commission approval. In 2006, the Legislature appropriated an additional \$2 million in Fiscal Year 2006-07 for RHIO grants. Finally, in 2007, the Legislature again appropriated \$2 million for Fiscal Year 2007-08 for RHIO grants.

Despite this investment at the local level, the Legislature has not yet created the FHIN at the statewide level. The absence of a statewide entity that facilitates communications among the RHIOs is a significant barrier to realizing the multitude of benefits that accrue from accessible electronic health records. Moreover, without a statewide entity to set technical standards, the RHIOs will likely evolve conflicting and incompatible communications standards.

**Purpose of the Project:** The purpose of this project is to present a number of structural and funding options that may be used in creating and operating a statewide network to facilitate the exchange of electronic health records among the RHIOs. The project will also present an overview of efforts at the state and federal level in fostering the creation of statewide health information networks. The project will include the following components:

- Review of current federal law regarding exchange of electronic health records, including privacy and security regulations.

- Review of other states' approaches to creating a statewide health information exchange.
- Review of structural and funding options for creating a statewide health information network.

**Expected Format for Outcome:** White paper and a presentation to the committee members

### Anticipated Timeframe:

[illegible]



**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Healthcare Council

**Project Title:** Home Care: Balancing Client Protection and Industry Regulation

**Staff Responsible:** Christa Calamas

**Problem Statement:** In-home services are provided by an assortment of different organizations operating under various statutes and regulations. The Agency for Health Care Administration currently has registered 1,132 organizations that provide homemaker and companion services as defined in s. 400.462, F.S. These services include household chores, shopping assistance, meal preparation and other assistance. Homemakers and companions are prohibited from providing any hands-on personal care. There are 249 Nurse Registries that are licensed by the Agency for Health Care Administration to secure temporary employment for nurses, home health aides, certified nursing assistants, etc. Nurse Registry contracted employees may provide hands-on personal care, including dispensing of medications.

In 2006, 3.8 million of Florida's total population (18.9 million) were age 65 or older, representing a 13 percent increase from 2000 in this cohort. As this population increases, the demand for more in-home care can be expected to increase as well.

The in-home care industry includes organizations represented by the Florida Non-medical Care Association (FNMCA), a group of homemaker/companion organizations, the Associated Home Health Industries of Florida, Inc., and others. During the 2007 Legislative Session, conflicting views of the state of the home care industry were presented to the members of the Healthcare Council and its committees.

- The Florida Non-medical Care Association raised concerns regarding unfair regulation of homemaker/companion organizations as compared to nurse registries and home health care agencies.
- The Associated Home Health Industries of Florida, Inc., disagreed with the prior assertion, but expressed concerns that recent dramatic increases in the number of home care providers jeopardized quality and increased opportunities for fraud.

**Purpose of the Project:**

- Assess state and federal law and regulations affecting providers of in-home services;
- Identify new initiatives affecting the availability and delivery of in-home services in Florida or other states;
- Compare the regulatory requirements for each type of in-home service provider;

- Compare the market environment for each type of in-home service providers;
- Evaluate trends in supply and demand for in-home care;
- Secure input from stakeholders including representatives of different home care providers, consumer representatives, and affected agencies.
- Identify considerations and concerns relevant to future legislative action.

**Expected Format for Outcome:** White paper

### Anticipated Timeframe:

[illegible]

**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Healthcare Council

**Project Title:** Marketplace for Affordable Health Care

**Staff Responsible:** Carol Gormley, Christa Calamas

**Problem Statement:** Idea #87 in *100 Innovative Ideas for Florida's Future* calls for the development of a marketplace of affordable health insurance. During the 2007 session, the Healthcare Council held a workshop on this topic that featured speakers talking about strategies for providing coverage to the uninsured, plans that offer prepaid service contracts, and other provider innovations. The discussion was preliminary and the Council took no further action during the 2007 session.

The marketplace idea challenges the way health care is currently financed and purchased. The idea demands establishment of a new economic foundation for the health care sector by utilizing sound market principles. Key market principles include availability of many choices for consumers, ready access to information on price and quality, and few barriers to participation by a variety of vendors. These features are not common to the health care sector and changing this pattern requires a re-formulation of numerous policies and statutes.

Competitive markets are the most effective method for optimal allocation of resources. What if this approach was applied to health care? What changes would be necessary to give this approach a chance to work? What results might be expected? Exploring these questions will provide background for the Healthcare Council as it pursues ways to implement Idea #87.

**Purpose of the Project:**

- Identify core components of a health care marketplace.
- Prepare case studies of programs and proposals that use market principles to improve health care access, quality and cost.
- Develop alternative strategies for developing a Florida marketplace for affordable health care.
- Assess the barriers and supports for each alternative marketplace strategy.

**Expected Format for Outcome:** White paper

### Anticipated Timeframe:

[illegible]

**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Health Quality

**Project Title:** An Evaluation of the Regulatory Scheme of Pedigree Papers

**Staff Responsible:** Paul Lowell

**Problem Statement:** In 2003, in response to substantial, documented problems with adulterated prescription drugs in Florida's wholesale distribution market, the Legislature significantly rewrote the laws regulating the wholesale distribution of prescription drugs. These revisions include a more comprehensive documentation of the chain of distribution of prescription drugs in the wholesale market, which is otherwise known as the "pedigree paper."

For three consecutive years thereafter, the Legislature has created exceptions to this documentation requirement, significantly altering the regulatory framework of the original 2003 law. The rapid succession of these changes has allowed little time for retrospective analysis of whether the original goal of the 2003 law has been preserved—improving the safety of Florida's prescription drug supply—without degrading the clarity of the law or placing an undue regulatory burden on the wholesale prescription drug distribution system.

**Purpose of the Project:** The purpose of the project is to evaluate the regulation of the wholesale prescription drug marketplace, specifically the pedigree paper requirement, in order to determine whether current law is fairly and efficiently ensuring the safety of Florida's prescription drug supply. The project will also review the overall structure of the statutory scheme to ensure that the law is presented in a clear, concise format that promotes, rather than discourages, compliance.

The interim project will include the following components:

- Review of current state and federal law regarding the regulation of the wholesale distribution of prescription drugs.
- Review of the performance of the Department of Health in enforcing the pedigree paper requirement.
- Numerous meetings with stakeholders to solicit functional problems with current state law.

**Expected Format for Outcome:** Whitepaper and a presentation to the committee members. The whitepaper may also recommend proposed legislation for the 2008 legislative session.

### Anticipated Timeframe:

[illegible]



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# **Jobs & Entrepreneurship Council**

## **Interim Projects**

**Representative Ron Reagan, Chair**  
**Representative Donald D. "Don" Brown, Vice Chair**





**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Committee on Utilities & Telecommunications

**Project Title:** Review of the Selection Process for Commissioners of the Florida Public Service Commission

**Staff Responsible:** Cochran Keating and Stephanie Cater

**Problem Statement:** The Florida Public Service Commission (PSC) is responsible for ensuring that Florida consumers receive some of their most essential services — electric, natural gas, telephone, water, and wastewater — in a safe, affordable, and reliable manner. In doing so, the PSC exercises regulatory authority over utilities in one or more of three key areas: rate base/economic regulation; competitive market oversight; and monitoring of safety, reliability, and service.

The PSC is an arm of the Florida Legislature. It consists of five commissioners who are appointed by the Governor to serve staggered four-year terms that begin January 1. There are no term limits. Mid-term vacancies on the commission are filled for the unexpired portion of a term in the same manner as an appointment for a new four-year term.

The current process for selecting a commissioner consists of several steps:

1. A public meeting of the Public Service Commission Nominating Council (Nominating Council) at which the Nominating Council selects the “most qualified applicants” to be interviewed;
2. A public meeting at which the Nominating Council interviews the selected applicants and nominates to the Committee on Public Service Commission Oversight (Oversight Committee) six persons for each vacancy;
3. A public meeting at which the Oversight Committee interviews the nominees and selects three persons per vacancy to recommend to the Governor for appointment;
4. Appointment of a commissioner for each vacancy by the Governor; and
5. Confirmation of each appointed commissioner by the Senate during the next regular session after the vacancy occurs.

Questions have arisen as to whether the purpose of this process can be achieved by means of a process that is less lengthy and complex overall and less time-consuming for applicants.

**Purpose of the Project:** The project will attempt to determine whether the purposes of the current process for selecting commissioners can be achieved more efficiently through alternative means. In addressing this question, staff will research the history of the selection process used in Florida and the mechanisms developed by other states to select commissioners. Staff will also review relevant literature and studies related to these questions. Further, staff may meet with regulated companies and consumer advocates to discuss these issues.

**Expected Format for Outcome:** The final work product will be a formal report.

**Anticipated Timeframe:**

**Timeframe for Interim Project**

<b>Anticipated Completion Dates</b>							
	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 200</b>	<b>Dec. 2007</b>
Review relevant literature and studies		X					
Research Florida legislative history		X					
Research other states			X				
Meet with interested parties				X			
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
Analyze research results					X		
Prepare draft report						X	
Finalize report							X
Submit report to Speaker's Office							X
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Jobs & Entrepreneurship Council/Committee on Insurance

**Project Title:** Monitor the Task Force on Citizens Property Insurance Claims Handling and Resolution.

**Staff Responsible:** Lynne Overton and Katrina Callaway

**Problem Statement:** HB 1A (2007) created the Task Force on Citizens Property Insurance Claims Handling and Resolution. The purpose of the task force is to make recommendations to the legislative and executive branch relating to the handling, service, and resolution of claims by Citizens that are sufficient to ensure that all Citizens' policyholders and applicants in this state are able to obtain appropriate handling, service, and resolution of claims.

The task force will meet this summer and by July 1, 2007, provide a report containing recommendations regarding the process Citizens should use to dispose of the claims remaining open from the 2004 and 2005 hurricane seasons. The task force shall continue meeting and by July 1, 2008, provide a report containing recommendations for additional improvements to Citizens.

**Purpose of the Project:** Since legislation likely will result from the task force recommendations, staff will attend meetings and otherwise monitor the task force. Close monitoring of the task force will allow staff to be aware of the progress and findings of the task force. Staff will be able to assist members in preparing any legislation recommended by the task force.

**Expected Format for Outcome:** Regular updates on task forces activities to Council & Committee Chairs and other interested members. One or more Proposed Council Bills to implement the recommendations of the task force.

### Anticipated Timeframe:

[illegible]

**Florida House of Representatives**  
**Proposed 2007-2008 Interim Project**

**Council/Committee:** Jobs & Entrepreneurship Council/Committee on Financial Institutions

**Project Title:** A review of Chapter 560, F.S., cited as the Money Transmitters' Code specifically including payday lenders.

**Staff with Primary Responsibility for Completion:** Eric Haug and Wendy Holt

**Problem Statement:** The Money Transmitters' Code was adopted in 1994. The code was amended in 2000 and 2001 to address money laundering penalty increases and deferred presentment (payday lending). However, the code has not kept pace with new federal laws or new industry products and services development, such as Stored Value Cards, Internet Lending, Internet Payment Systems, Digital Currencies, and Informal Value Transfer Systems. Consequently, for example, payday lenders continue to make pay check advance loans that exceed 400% annual percentage rate through Internet transactions or governance by other state or federal statutes.

**Purpose of the Project:** Prevent Florida law circumvention and modernize the statute to reflect industry innovations and federal regulatory changes.

**Expected Format for Outcome:** Proposed council bill (PCB)

**Anticipated Timeframes:**

	<b>June 2007</b>	<b>July 2007</b>	<b>Aug. 2007</b>	<b>Sept. 2007</b>	<b>Oct. 2007</b>	<b>Nov. 2007</b>	<b>Dec. 2007</b>
Review Florida and other state laws	X	X	X	X	X	X	X
Obtain agency and industry input	X	X	X	X	X	X	X
Midterm compilation of information				X			
Begin formulating legislation					X	X	X
Prepare PCB if directed							X
<b>Maximum due date for completion</b>							12/28

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# **Policy & Budget Council**

## **Interim Projects**

**Representative Ray Sansom, Chair**  
**Representative Stan Mayfield, Vice Chair**





**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Policy & Budget Council

**Project Title:** Budget Simplification Process

**Staff Responsible:** JoAnne Leznoff, Skip Martin, Eric Edwards

**Problem Statement:** The General Appropriations Act (GAA) is a cumbersome document detailing the state budget in over 3,000 line items, referencing hundreds of funds, appropriations categories and budget entities. It is developed and amended frequently throughout the year through highly technical forms, computer systems and procedures. The complexity and technical nature of the product and processes diminishes budget comprehension and transparency to everyone but those with Florida budget expertise.

**Purpose of the Project:** In order to identify options that Members may consider in developing proposed budget structure and process modifications staff will:

- Describe the current budget structure, delineating statutory and constitutional requirements and provisions;
- Describe the information systems and mechanisms in the budget and accounting processes that provide for accuracy and accountability;
- Identify and analyze the pros and cons of the current structure, processes and systems;
- Research and summarize other states' budget structures and processes; and
- Formulate and discuss options for budget or process restructure or improvement.

General methodology will consist of:

1. Review of Florida's constitutional and statutory budget provisions.
2. Research other states' structures and processes.
3. Meet with stakeholders to obtain input on revisions.
4. Draft options for improvement with accompanying analyses.

**Expected Format for Outcome:** Formal Report

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 200	Dec. 2007
Background research		X	X				
Research other states		X	X				
Meet with affected parties				X			
Write draft report					X		
Finalize report						X	
Submit report to Speaker's Office							X
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Policy and Budget Council

**Project Title:** Annual Update of the Florida Tax Handbook

**Staff Responsible:** Jose Diez-Argüelles, Brian Jacobik

**Problem Statement:** The Florida Tax Handbook is a reference tool that provides general information regarding state and local revenue sources. The publication is a joint effort of the staffs of the Senate Committee on Finance and Tax, the Office of Economic and Demographic Research, the Department of Revenue's Office of Tax Research, and the House Policy and Budget Council.

**Purpose of the Project:** The descriptions of each revenue source will be updated to reflect Florida law changes, other states' law changes and current revenue estimates. Other portions of the publication will be updated to reflect current conditions.

**Expected Format for Outcome:** Bound Handbook

**Anticipated Timeframe:** This is a joint project with other executive and legislative staff. It is usually completed prior to the beginning of Session. The update cannot be completed until after the Consensus Revenue Estimating Conferences are held in late Fall.

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 200	Dec. 2007
Background research							
Research other states							
Meet with affected parties							
Send written survey sent to affected parties							
Analyze survey results							
Write draft report							
Finalize report							
Submit report to Speaker's Office							
Midterm progress report to Speaker's Office				9/07			
Maximum due date for completion							12/28

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Policy & Budget Council

**Project Title:** Aligning Recurring Spending with Recurring Revenues

**Staff Responsible:** Michael Hansen, Skip Martin, Sarah Voyles, JoAnne Leznoff,  
Michelle Davila

**Problem Statement:** Florida has a structural deficit within its state budget. Spending growth is increasing more rapidly than revenue growth. In order to balance the state budget over the long term, this structural deficit must be remedied through reducing the growth rate in state spending to match the growth rate in state revenues.

**Purpose of the Project:** Florida's constitution requires a three year budget plan. The purpose of this project is to equip House members with the tools necessary to construct a state spending plan where annual expenditure growth is less than annual revenue growth.

This project will explore options available to the Legislature in order to accomplish this goal and will include consideration of using existing budget review opportunities like the Agency Sunset Review Process or other appropriate mechanisms.

**Expected Format for Outcome:** The format for this project is a document which provides legislative leadership with a menu of options for balancing the state's annual general appropriations act.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 200	Dec. 2007
Background research	x	x					
Research other states		x					
Meet with affected parties		x	x	x			
Send written survey sent to affected parties							
Analyze survey results			x	x	x		
Write draft report							
Finalize report							
Submit report to Speaker's Office							x
<b>Midterm progress report to Speaker's Office</b>				<b>9/07</b>			
<b>Maximum due date for completion</b>							<b>12/28</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Policy & Budget Council

**Project Title:** Implementation of Property Tax Reform

**Staff Responsible:** Don Langston, Jose Diez-Argüelles, Brian Jacobik

**Problem Statement:** In Special Session 2007-B the Legislature adopted far-reaching and complex changes to property taxation in Florida. Some of those changes will have immediate impacts on local government budgeting decisions and on certain state government administrative processes. The complexity of the law changes raises the possibility that some fine-tuning of the legislation may be needed in the 2008 legislative session.

**Purpose of the Project:** Monitor the implementation of property tax reform provisions adopted during Special Session 2007-B, and make recommendations for further changes to law for consideration during the 2008 Regular Session.

**Expected Format for Outcome:** The expected format is a detailed listing of issues that emerge in the coming months.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 200	Dec. 2007
Background research							
Research other states							
Meet with affected parties			X	X	X	X	
Send written survey sent to affected parties							
Analyze survey results				X	X	X	
Write draft report						X	
Finalize report							X
Submit report to Speaker's Office							X
Midterm progress report to Speaker's Office				9/07			
Maximum due date for completion							12/28



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# **Safety & Security Council**

## **Interim Projects**

**Representative Charles S. Dean, Chair**  
**Representative Dennis Ross, Vice Chair**





**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Safety & Security Council

**Project Title:** Funding for Trial Court Information Technology Support: Is the \$4.00 fee assessed pursuant to section 28.24, F.S., for court-related technology as defined in section 29.008, F.S. being used appropriately and in the most effective and efficient manner?

**Staff Responsible:** Jim DeBeaugrine, Loretta Darity

**Problem Statement:** Section 29.008(1), F.S., requires that counties fund the cost of communications services, existing radio systems, existing multiagency criminal justice information systems and other information and communication systems. This specifically includes information technology (IT) systems and support for the trial courts, state attorneys, public defenders and the clerks of court performing court-related duties.

Section 28.24(12)(e)1., F.S., provides a dedicated revenue source to assist counties in meeting this obligation. Specifically, it provides for a \$4.00 per page additional recording fee for certain documents filed with the clerk of court. Of this amount, \$2.00 is distributed to the board of county commissioners to be used for court-related technology for the trial courts, state attorneys and public defenders; \$1.90 goes directly to the clerks of the court for their IT needs; and, \$0.10 goes to the Florida Association of Court Clerks and Comptrollers, Inc. to manage the state Comprehensive Case Information System (CCIS).

The Department of Financial Services reported in the Statement of County Funded Court-Related Functions for FY 2005-2006 that the \$4.00 fee generated \$157.8 million for the period ending September 30, 2006. On the surface, this amount of funding on a recurring basis would appear to be more than sufficient to offer top-notch IT support for the courts and associated entities.

There are a number of claims, however, from affected parties who feel that they are not receiving adequate IT support. Some claim that the revenue generated is not sufficient to support the systems, others believe the revenue is not being spent for the intended purpose, and others feel that the dollars are not being managed in the most effective manner.

**Purpose of the Project:** The purpose of the project is twofold: (1) inform House members of the state of IT support services for the trial courts and associated entities, and (2) identify available policy options if House members feel that improvements can be made and wish to take formal action.

Staff will review reports completed by the Article V Technology Board and the Department of Financial Services along with other information to assist in determining if the trial courts and taxpayers are getting optimum IT support services and if the revenue is used as defined and described in statute. Additionally, staff will meet with public defenders, state attorneys, clerks of courts, state courts administrative personnel, judges, county representatives and representatives from other appropriate offices/entities to gather information and data to support the project.

**Expected Format for Outcome:** Whitepaper accompanied by a PowerPoint presentation.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	August 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background Research	X	X					
Research other states		X	X				
Review uses for revenue by comparing counties		X	X				
Review literature and other documents		X	X				
Meet with affected parties			X	X			
<b>Midterm progress report to Speaker's Office</b>				9/7/2007			
Write draft report and develop PowerPoint presentation					X		
Finalize report						X	
Submit report to Speaker's Office						X	
Prepare proposed legislation upon direction of the chair.						X	X

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Safety & Security Council

**Project Title:** Review of the Justice Administrative Commission (JAC): Should the membership, role, responsibilities and budget of the JAC be revised in response to recent perceived problems and changes in law?

**Staff Responsible:** Jim DeBeaugrine, Loretta Darity

**Problem Statement:** The JAC has seen several notable changes to its scope of responsibility since it was established in 1965. There have also been a number of reported problems since the JAC assumed expanded responsibility in 2004 associated with implementation of certain revisions to Article V of the state constitution. SB 1088, which passed during the 2007 session, will once again change the scope of the commission's responsibility and impact its workload and resource needs.

The membership of the JAC, however, has not changed to reflect the more recent changes to the scope of its responsibilities. Neither has there been a systematic review of the commission's budget in light of the most recent statutory changes that will affect its workload.

Finally, there has been no comprehensive review of options that may help to avoid current and future problems with the ongoing implementation of the recent changes to Article V of the state constitution.

**Purpose of the Project:** This interim project will provide information to House members to help them determine if the JAC is fulfilling its statutory mission in the most equitable and efficient manner possible. In addition, policy options will be developed for consideration should the members wish to pursue formal legislative action.

Staff will review Florida law governing the JAC since its inception, review historical budget and workload information, interview affected parties, review arrangements in other states, and consider other appropriate information.

**Expected Format for Outcome:** The final work product will be a whitepaper accompanied by a PowerPoint presentation.

### Anticipated Timeframe:

	Anticipated Completion Date						
	June 2007	July 2007	August 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background Research	X	X					
Research other states		X	X	X			
Review budget information and other data		X	X	X			
Meet with affected parties		X	X	X	X		
<b>Midterm progress report to Speaker's Office</b>				9/7/2007			
Write draft report and develop PowerPoint presentation					X	X	X
Finalize report						X	X
Submit report to Speaker's Office							X
Prepare proposed legislation upon direction of the chair.						X	X

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Safety & Security Council

**Project Title:** Organized Crime Groups in Florida

**Staff Responsible:** Randy Havlicak, Stephen Hogge, Jim DeBeaugrine, Trina Kramer

**Problem Statement:** Gang activity has seen an increase in all parts of the state. In some areas it is reaching epidemic proportions. In Palm Beach County there are over 6,000 members belonging to some 200 gangs. Earlier this year seven gang-related murders were committed in 10 days in Palm Beach County. This growth in gang membership and activity is found throughout the state; in both urban and rural areas. Not only is there an increase in the number of gang members and an increase in the crimes they commit, but criminal street gangs are transforming into more sophisticated organized crime groups and present new challenges to law enforcement and prosecutors in their efforts to keep Florida safe.

**Purpose of the Project:** This interim project will:

1. Examine the prevalence and sophistication of criminal street gangs and their illegal activities in Florida, analyzing information from FDLE and other available sources.
2. Summarize findings from existing research on the societal costs of the organized crime group activity of criminal street gangs and the specific costs incurred by law enforcement agencies in response to this activity.
3. Identify the statutory tools available to investigate and prosecute illegal activity by organized crime groups, the effectiveness of these tools according to law enforcement, prosecutors, and others, and any additional tools needed.
4. Catalog existing programs and associated funding for combating the organized crime activities of criminal street gangs, and identify any other funding options for maximizing law enforcement effectiveness in combating the increased prevalence of organized crime groups in Florida.

**Expected Format for Outcome:** Whitepaper and legislative proposal, if necessary.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research of Florida's history of gangs and their evolving status	X	X					
Review current law enforcement activities, funding and programs to combat organized crime groups	X	X	X				
Review other state laws pertaining to organized crime group activity		X	X				
Analyze information gathered from research			X	X			
<b>Midterm progress report to Speaker's Office</b>				9/7/07			
Write draft report					X	X	
Finalize report							X

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Constitution & Civil Law

**Project Title:** Update Legislative Claim Bill Manual

**Staff Responsible:** Stephanie Birtman, Michele Ingram

**Problem Statement:** The Legislative Claim Bill Manual serves as a guide to both Members and constituents who need historical information regarding claim bills, as well as the process and procedure required to file a claim bill. The current Manual has not been updated since 2005.

**Purpose of the Project:** This interim project will produce a Legislative Claim Bill Manual for use by Members, the public, and House and Senate Special Masters.

**Expected Format for Outcome:** Published Manual

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Mark up existing document	X						
Update charts and statistics	X						
Format and input		X					
Finalize updated manual			X				

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Committee on Courts

**Project Title:** Examination of References to Court Rules in Florida Statutes

**Staff Responsible:** Nathan Bond, Adam Blalock

**Problem Statement:** Throughout Florida's statutes, there are references to various rules of court. Any reference to an outside source creates the potential for an unlawful delegation of legislative power. In current law, there are 90 references to the Rules of Civil Procedure, 33 references to the Rules of Criminal Procedure, 27 references to the Probate Rules, 7 references to the Small Claims Rules, and 25 references to the Rules of Juvenile Procedure in the Florida Statutes. Some of these references allow the courts to make substantive law, but others are appropriate references to the underlying procedure for accomplishing the purpose of the law. In addition, some of the statutes appear to have inaccurate references to certain court rules. For example, s. 63.087, F.S., regarding petitions to terminate parental rights speaks to the Rules of Civil Procedure, but there is no reason for this reference, and if there is a specific reference, then it should be to Part II of the Rules of Juvenile Procedure, which specifically provide for the termination of parental rights. Section 39.701, F.S., relates to judicial review of a dependency case, and contains a reference to Rule 1.490(h), Florida Rules of Civil Procedure. This rule does not apply to that section.

**Purpose of the Project:** Staff will examine each reference to various court rules in the Florida Statutes to determine if such reference is appropriate. Where a reference does not appear appropriate, staff will consult with the chair and, where appropriate and authorized, draft a PCB to amend and revise the statutes to remove references to court rules.

**Expected Format for Outcome:** Whitepaper and PCB (if authorized).

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research reviewing all references to court rules in the statutes.	X						
Analyze whether references are necessary		X					
Draft PCB removing unnecessary references to court rules			X				
Provide draft PCB for public comment				X			
Final PCB draft with whitepaper					X		
Submit report to Speaker's Office						X	
Midterm progress report to Speaker's Office				9/7/07			



**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Committee on Courts

**Project Title:** Fiscal review of the Judicial Qualification Commission's Business Practices and Procedures

**Staff Responsible:** Nathan Bond, Adam Blalock

**Problem Statement:** The Judicial Qualifications Commission (JQC) is a constitutional body created to conduct proceedings involving the discipline, involuntary retirement, or removal of justices of the Florida Supreme Court and judges of the district courts of appeal, circuit courts, and county courts. The JQC is divided into an investigative panel and a hearing panel as established by rule of the JQC. The investigative panel has jurisdiction to receive or initiate complaints, conduct investigations, dismiss complaints, and, upon a vote of a simple majority of the panel, submit formal charges to the hearing panel. The hearing panel has the authority to receive and hear formal charges from the investigative panel and, upon a two-thirds vote of the panel, recommend to the Supreme Court the removal of a justice or judge or the involuntary retirement of a justice or judge for any permanent disability that seriously interferes with the performance of judicial duties. Upon a simple majority vote of the membership of the hearing panel, the panel may recommend to the Supreme Court that the justice or judge be subject to other appropriate discipline. The ultimate power and responsibility in making a determination to discipline a judge rests with the Supreme Court. The Supreme Court receives recommendations from the JQC's hearing panel. The Supreme Court may accept, reject, or modify, in whole or in part, the findings, conclusions, and recommendations of the JQC.

For the 2004-05 fiscal year, the JQC received 484 complaints. Sixty-seven of those complaints were investigated. The remainder of the complaints fell outside the JQC's jurisdiction, or were related to legal or procedural rulings on court cases. Formal charges were filed in three cases. For the fiscal year 2006-07, the JQC was appropriated \$1,014,828 and 5 FTEs. Out of this appropriation, \$223,300 is allocated for litigation expenses, to be used for case expenditures associated with the filing and prosecution of formal charges. These costs consist of attorney's fees, court-reporting fees, investigators' fees, and similar charges associated with the adjudicatory process. The JQC spends much of this allocation employing outside counsel and other outside services to carry out investigations and prosecute litigation.

There has not been a recent comprehensive legislative review of the business practices and procedures currently implemented by the JQC in carrying out their constitutionally required duties. In the 2007 legislative session, the legislature examined outside litigation services in the area of conflict and other appointed counsel, and determined that it was in the state's best interest to limit the use of outside litigation services by employing state employees. In prior sessions, the legislature has examined the use of outside attorneys in the CCRC's.

**Purpose of the Project:** This interim project will examine the business practices and efficacy of the JQC's processes, and to determine whether best practices are currently being implemented. This will include researching the following:

- The business practices of other states compared to the practices and procedures of Florida's JQC; and
- Whether the JQC's budget is being used in the most cost-effective manner in carrying out their duties, and whether the current budget is appropriate.

The methodology used to gather this information would be to conduct interviews with the commissioners, seek input of affected parties, review documentation, and review the practices and procedures of other states.

**Expected Format for Outcome:** Formal report

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug 2007	Sept 2007	Oct 2007	Nov 2007	Dec 2007
Background research including other states' practices	X	X	X				
Meet with JQC commissioners and review JQC documents to analyze current business practices and use of their budget		X	X				
Seek input from effected parties and poll chief judges			X				
Analyze information gathered from the JQC and the commissioners' interviews				X			
Collect and analyze other input					X		
<b>Midterm progress report to Speaker's Office</b>				9/7/07			
Write draft report						X	
Finalize report							X
Submit report to Speaker's Office							X

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Homeland Security & Public Safety

**Project Title:** Examination of salvia divinorum – a plant consumed for its hallucinogenic effect; should it be outlawed?

**Staff Responsible:** Trina Kramer, Katie Cunningham

**Problem Statement:** Salvia divinorum is an herb native to certain parts of Mexico. Consumption of the herb can have a hallucinogenic effect through the active ingredient, salvinorin A. Possession of this substance is not illegal under Florida or federal law. In March 2007, the Miami-Dade County Commission passed a resolution urging the Legislature to include salvia divinorum within Schedule I of the Florida Comprehensive Drug Abuse and Control Act.

**Purpose of the Project:** Staff will conduct research relevant to the issue of whether state laws regulating salvia divinorum should be enacted. This will include researching and reviewing information available on effects of salvia divinorum when consumed and possible legitimate uses. Staff will also research current state and federal laws relating to salvia divinorum to determine approaches taken by other states and jurisdictions. Staff will contact relevant parties including law enforcement for input.

**Expected Format for Outcome:** Whitepaper; draft legislation if necessary

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research	X	X	X				
Research other states		X	X	X			
<b>Midterm progress report to Speaker's Office</b>				9/7/07			
Prepare draft report					X		
Submit final report to Speaker's Office						X	

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Homeland Security & Public Safety

**Project Title:** Firearms laws relating to person ordered to undergo mental health treatment

**Staff Responsible:** Trina Kramer, Katie Cunningham

**Problem Statement:** After the recent shooting at the Virginia Tech campus, there has been widespread criticism over the fact that the perpetrator was able to obtain a firearm despite the fact that he apparently had been ordered to receive outpatient mental health treatment. Since this incident, there has been public discussion over whether there is a “loophole” in Florida law which would allow a person who has been found by a judge to be a danger and ordered to undergo outpatient mental health treatment to legally obtain a firearm.

**Purpose of the Project:** Staff will research current state and federal law and will contact affected state agencies and other interested parties to determine whether a deficiency exists in Florida law. If necessary, modifications to Florida statutes will be recommended.

**Expected Format for Outcome:** Whitepaper and legislative proposal, if necessary.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Background research	X	X	X				
Research other states law		X	X				
Analyze information gathered from research			X	X			
<b>Midterm progress report to Speaker's Office</b>				9/7/07			
Write draft report				X	X		
Submit final report to Speaker's Office						X	

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Juvenile Justice

**Project Title:** Options for Placing Juveniles in Appropriate Commitment Programs

**Staff Responsible:** Stephen Hogge

**Problem Statement:** Currently under Florida law, when committing an adjudicated delinquent youth to the Department of Juvenile Justice (DJJ), the court may order a commitment restrictiveness level, but may not dictate the specific commitment program. The DJJ selects the commitment program within the particular restrictiveness level.

Some believe that DJJ placement decisions are not always based on the rehabilitation needs of the youth or on the effectiveness of the commitment program and that judges should be involved in placement decisions. Others believe DJJ is more familiar with the content and effectiveness of the programs and in a better position to make placement decisions. Previous surveys conducted by legislative staff indicated that 56 percent of responding judges believe they should have the option of selecting the commitment program, rather than DJJ. This issue has been and continues to be debated by legislators. To date, research has not been conducted to determine the approaches and processes used in other jurisdictions.

**Purpose of the Project:** The purpose of the project is to identify and analyze the various options for placing juveniles in specific commitment programs. This report will build upon previous staff research that was of a limited scope. Staff will compare and contrast the approach used in Florida with that used in other states. Staff will interview juvenile court judges, officials from DJJ, providers, and others.

**Expected Format for Outcome:** Whitepaper containing options and considerations.

**Anticipated Timeframe:**

	Anticipated Completion Date						
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007
Complete project plan and outline	X						
Research		X					
Complete Research			X				
<b>Midterm progress report to Speaker's Office</b>				<b>9/7/07</b>			
Complete Analysis				X			
Complete Draft Report					X		
Complete Final Report						X	

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# **Schools & Learning Council**

## **Interim Projects**

**Representative Joe H. Pickens, Chair**  
**Representative Anthony Trey Traviesa, Vice Chair**





**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Schools & Learning Council

**Project Title:** Education FACT Sheets

**Staff Responsible:** Lynn Cobb, Mark Eggers, Tammie Guilford

**Problem Statement:** Revisions to education laws during the 2007 Session require updated education FACT sheets, and the implementation of 2006 legislation and creation of new programs and initiatives during the 2007 Session require new education FACT sheets.

**Purpose of the Project:** To update current education FACT sheets and create new education FACT sheets reflecting current law for the 2008 Legislature.

**Expected Format for Outcome:** Education FACT Sheets 2008

**Anticipated Timeframe:**

	Anticipated Completion Date			
	June – Aug. 2007	Sept. 2007	Oct. – Nov. 2007	Dec. 2007
Research current law	X			
Review reports and studies	X			
Determine the implementation status of recommendations		X		
Conduct interviews			X	
Complete edits			X	
<b>Finalize</b>			X	
<b>Published report due to Speaker's Office</b>				<b>12/28/07</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Schools & Learning Council / Committee on 21<sup>st</sup> Century Competitiveness

**Project Title:** Student dropout rates in Florida high schools

**Staff Responsible:** Michael Kooi, Joanna Hassell

**Problem Statement:** What problems are leading to higher dropout rates in certain school districts and what are some districts doing to successfully reduce their dropout rates?

**Purpose of the Project:** To identify the issues at a district, school and student level that lead to higher percentages of students dropping out of high school and to review what some districts of different sizes have done about the problem. Committee staff will review student exit interviews, Department of Education surveys and reports, district data and district programs relating to dropout prevention; and conduct interviews with staff of the Department of Education, school districts, and other stakeholders.

**Expected Format for Outcome:** Interim project report

**Anticipated Timeframe:**

	Anticipated Completion Date			
	June – Aug. 2007	Sept. 2007	Oct. – Nov. 2007	Dec. 2007
Conduct interviews with DOE staff	X	X	X	
Review DOE dropout prevention reports and materials	X			
Research national literature	X			
Review district exit interview information	X			
Review background information and statistics on dropout rates	X	X		
Conduct interviews with school district staff	X	X	X	
Research the dropout prevention practices of various school districts	X	X	X	
<b>Midterm report due to Speaker's Office</b>		<b>09/07/07</b>		
Conduct follow-up interviews			X	
Draft report			X	
Finalize draft			X	
Submit draft to Council Director				X
<b>Published report due to Speaker's Office</b>				<b>12/28/07</b>

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Schools & Learning Council / Committee on Education Innovation and Career Preparation

**Project Title:** Charter School Accountability

**Staff Responsible:** Tina White, Gavin Beagle

**Problem Statement:** Are current oversight mechanisms for charter school academic performance and financial accountability sufficient to ensure high performance and sound financial management?

**Purpose of the Project:** To evaluate existing oversight mechanisms for charter school academic and financial accountability and recommend options for the improvement of those mechanisms. Committee staff will: research Florida law governing charter school accountability; review related Auditor General, Office of Program Policy and Government Accountability, and Department of Education (DOE) reports and studies; determine the implementation status of recommendations made in recent reports and studies; research other state practices for charter school accountability; and interview DOE, charter school, and district school board sponsor staff and other stakeholders.

**Expected Format for Outcome:** Interim project report

**Anticipated Timeframe:**

	Anticipated Completion Date			
	June – Aug. 2007	Sept. 2007	Oct. – Nov. 2007	Dec. 2007
Research current law	X			
Review reports and studies	X			
Determine the implementation status of recommendations		X		
Conduct interviews			X	
Research national literature		X		
<b>Midterm report due to Speaker's Office</b>		<b>09/07/07</b>		
Draft report			X	
Finalize draft			X	
Submit draft to Council Director				X
<b>Published report due to Speaker's Office</b>				<b>12/28/07</b>

**Florida House of Representatives**  
**2007-2008 Interim Project Format**

**Council/Committee:** Schools & Learning Council/Committee on Postsecondary Education

**Project Title:** Use of the Designation “Career College” by Public Career Centers and Charter Technical Career Centers

**Staff Responsible:** Betty Tilton, Margaret Thomas

**Problem Statement:** What are the conditions, if any, under which career centers and charter technical careers centers should be permitted to use the designation “career college”?

**Purpose of the Project:** To identify conditions under which career centers and charter career centers in Florida should be permitted to use the designation “career college”. Committee staff will identify other Southern Regional Education board (SREB) states with career or technical colleges; review policies and practices related to such colleges in these states; compile an inventory of current programs offered by community colleges and area technical institutes in Florida; and conduct interviews with staff of the Department of Education, area technical centers, community colleges, SREB, and other stakeholders.

**Expected Format for Outcome:** Interim project report

**Anticipated Timeframe:**

	Anticipated Completion Date							
	June 2007	July 2007	Aug. 2007	Sept. 2007	Oct. 2007	Nov. 2007	Dec. 2007	Jan. 2008
Background research			X					
Research other states			X					
Meet with interested parties			X					
Compile inventory of programs offered by Florida community colleges and area technical centers			X					
<b>Midterm progress report to Speaker's Office</b>				9/08				
Analyze results of research					X			
Write draft report						X		
Finalize report							X	
Submit report to Speaker's Office								X

**Florida House of Representatives**  
**2007-2008 Interim Project**

**Council/Committee:** Schools & Learning Council / Committee on K-12

**Project Title:** Teacher Professional Development Programs in Florida

**Staff Responsible:** Marleen Ahearn, Joseph Gillespie

**Problem Statement:** How can the effectiveness and efficiency of teacher professional development be improved in this state?

**Purpose of the Project:** To identify options for the improvement of teacher professional development in Florida. Committee staff will review school district master plans for inservice education and the Department of Education's evaluations of school district professional development systems; research national literature and the practices of other states in teacher professional development; and conduct interviews with staff of the Department of Education, school districts, regional education consortia, and other stakeholders.

**Expected Format for Outcome:** Interim project report

**Anticipated Timeframe:**

	Anticipated Completion Date			
	June – Aug. 2007	Sept. 2007	Oct. – Nov. 2007	Dec. 2007
Conduct interviews with DOE staff	X	X	X	
Review school district master plans for inservice education	X			
Review DOE evaluations of school district professional development systems	X			
Research national literature	X			
Research the practices of other states	X			
Conduct interviews with school district staff	X	X	X	
Conduct interviews with regional education consortia	X	X	X	
<b>Midterm report due to Speaker's Office</b>		<b>09/07/07</b>		
Conduct follow-up interviews			X	
Draft report			X	
Finalize draft			X	
Submit draft to Council Director				X
<b>Published report due to Speaker's Office</b>				<b>12/28/07</b>

